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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,828	11/14/2001	Craig Russ	TN242	5835

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EXAMINER

MCLEAN MAYO, KIMBERLY N

ART UNIT	PAPER NUMBER
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2187

DATE MAILED: 08/05/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/992,828

Applicant(s)

RUSS, CRAIG

Examiner

Kimberly N. McLean-Mayo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 10-22 is/are rejected.
- 7) ☒ Claim(s) 4-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. The enclosed detailed action is in response to the Application submitted on November 14, 2001.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 12-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims refer to a "token", however, is it not clear from the specification nor the claims as to what a token is. Additionally, a definition of this term was not found in a technical dictionary.

Clarification is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 10, 12, 18-19 and 21-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Pal (USPN: 5,963,945).

Regarding claims 1, 10 and 12, Pal discloses associating an identifier [token] with an allocated object, wherein the identifier is associated with a first reuse count (count associated with the

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client), a second reuse count (count associated with the server), and a validity indicator (C 4, L 50-53; C 5, L 51-53 - indicator that the object has been allocated, which effectively indicates that the object may be accessed); in response to a request to access the object associated with the identifier, using the validity indicator, the first reuse count and the second reuse count to determine if the object is deallocated (C 5, L 28-67; C 6, L 1-22 – the count values are compared for the allocated object and when the first reuse count is less than the second reuse count the object is deallocated and thus such actions establish [determine] whether an object was deallocated); if the object is deallocated, denying access to the object (when an object is deallocated, the object is removed from memory and thus an access to the object is denied [prevented via a delay] until the object is restored or reallocated).

Regarding claims 18-19, Pal discloses a processing unit (comprised of References 207 and 218 in Figure 2); and a memory (comprised of References 104-105, 206, 212 and 224 in Figure 2) including a data structure comprising a list of available token (identifier) values (value of the identifiers)(list is the list of identifiers in References 104 and 224 in Figure 2), a token comprising a token data value selected from the list and a first reuse count (C 5, L 28-67 - count associated with the client), and a token data array (Figure 2, Reference 104 and 224) comprising an entry corresponding to the selected token data value, wherein the entry includes a validity indicator the value of which is definable to indicate whether an object associated with the entry is valid (C 4, L 50-53; C 5, L 51-53 - indicator that the object has been allocated, which effectively indicates that the object may be accessed); a second reuse count (C 5, L 28-67 - count associated with the server) and an entry object reference (C 7, L 20-24 - cache tag/index address)

Regarding claim 21, the memory includes the object associated with the entry (C 7, L 15-17).

Regarding claim 22, the token data value is appended to the object in the directory structure (refer to the directory structure, Reference 104, in Figure 1F).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2-3, 11 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pal (USPN: 5,963,945) in view of Lakhamraju et al. (USPN: 6,343,296).

Regarding claims 2-3 and 20, Pal discloses an entry [within the directory structure] associated with the identifier comprising the second reuse count (C 5, L 53-55), the validity indicator (C 5, L 51-53) and an object reference (C 7, L 20-24 - cache tag/index), however, Pal does not disclose a lock associated with the entry which is used to lock the entry before its access and is to unlock the entry after its access. However, Lakhamraju teaches the concept of locking an object entry before its use and unlocking the entry after its use to ensure accuracy by preventing simultaneous access to the entry (C 4, L 40-47). Hence, it would have been obvious to one of ordinary skill in the art to use Lakhamraju's teachings with the system taught by Pal for the desired purpose of system accuracy.

Regarding claim 11, Pal discloses the entry is stored in an array indexed by the identifier (Figure 2, Reference 104 and 224).

Allowable Subject Matter

8. Claims 13-17 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

9. Claims 4-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

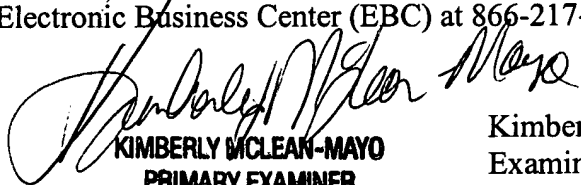
Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly N. McLean-Mayo whose telephone number is 703-308-9592. The examiner can normally be reached on M (10:00 - 6:30); Tues, Thr (10:00 - 4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on 703-308-1756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KIMBERLY MCLEAN-MAYO
PRIMARY EXAMINER

Kimberly N. McLean-Mayo
Examiner
Art Unit 2187

KNM

August 1, 2004